REMARKS

SUMMARY

Reconsideration of the application is respectfully requested.

Claims 1-12 were rejected in the above-identified Office Action. Claims 1, 8, 10, and 11 have been amended. Claims 1-12 remain pending in the application.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

In "Claim Rejections – 35 USC § 112," item 2 on page 2 of the above-identified Office Action, claim 10 has been rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner rejected claim 10 for reciting the limitation "the menu driver" with insufficient antecedent basis. In response, Applicants have amended claim 10 to eliminate the recitation in question, overcoming the rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

In "Claim Rejections – 35 USC § 102," item 5 on page 2 of the above-identified Office Action, claims 5-7 and 11-12 have been rejected as being fully anticipated by U.S. Patent No. 6,608,637 to *Beaton et al.* (hereinafter "Beaton") under 35 U.S.C. § 102 (e). Applicants respectfully traverse.

Claim 11 has been amended for reasons unrelated to overcoming the prior art.

Claim 5 recites a "mobile communication device comprising:

a plurality of functions to support a plurality of activities to be performed using the mobile communication device, the activities including at least a call activity;

a navigation button; and

a menu driver to facilitate a user to navigate among selectable <u>sub-activities of one activity</u>, including <u>presenting the selectable sub-activities as a scrollable list nested in a presentation of the activity</u>."

In contrast, Beaton simply teaches a multitask-enabling graphic user interface which facilitates switching between activities or performing activities concurrently (see Figs. 7 and 8a-8c). While Beaton does disclose a mobile telephone supporting a plurality of activities, such as voice calling, SMS messaging, and web browsing, and having a plurality of navigation buttons, Beaton fails to teach, expressly or inherently, "a menu driver to facilitate a user to navigate among selectable sub-activities of one activity, including presenting the selectable sub-activities as a scrollable list nested in a presentation of the activity," as is claimed in claim 5 of the present application. Rather, Beaton teaches the display of a number of "communication task" icons (see Figs. 7 and 8a-8c). A user performing one task, such as a voice call, may navigate to another icon for a different task such as web browsing, and may choose to perform the task either concurrently with the call or in place of it. None of these communication tasks is properly described as a "sub-activity" of another one of the activites/communication tasks. In fact, such communication tasks as SMS messaging with the note pad or quick notes icons are described as "major communication task[s]" on par with voice calling (see col. 6, lines 22-25). Thus, displaying these icons as part of the same list does not anticipate "presenting the selectable sub-activities as a scrollable list nested in a presentation of the activity," as is claimed in claim 5.

Accordingly, claim 5 is patentable over Beaton.

Claim 11 is directed toward a method of claim 5, reciting similar limitations. Thus, for at least the same reasons, claim 11 is patentable over Beaton.

Claims 6-7 and 12 depend from claims 5 and 11, incorporating their limitations respectively. Thus, for at least the same reasons, claims 6-7 and 12 are patentable over Beaton.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

In "Claim Rejections – 35 USC § 103," item 7 on page 4 of the above-identified Office Action, claims 1-4 and 8-10 have been rejected as being unpatentable over Beaton under 35 U.S.C. § 103 (a).

In response to the Examiner's rejection, Applicants have amended claims 1 and 8 to overcome the cited art.

Amended claim 1 recites a "mobile communication device comprising:

a plurality of functions to support a plurality of activities to be performed using the mobile communication device, the activities including at least a call activity;

a navigation button; and

a menu driver to facilitate a user to navigate <u>directly</u> from one activity to another, in response to user inputs provided through the navigation button, including saving a first state of a first activity from which the user is navigating from, <u>to enable subsequent re-entry into the first activity at the first state</u>, and entering a second state of a second activity to which the user is navigating to, the second state being the state in which the user last left the second activity."

In contrast, Beaton, in Figure 6 and its corresponding description, teaches that a GUI Manager 4100 is able to manage an application 6400 to which the GUI Manager 4100 has yielded control of application window 6500. In particular, the GUI Manager 4100 is able to suspend, resume, or stop the application 6400 in response to user commands or another higher priority running application. A "task/application" manager, such as GUI Manager 4100, is well known in the art and is able to suspend, resume, or stop an application that it manages. It does not follow, however, that Beaton has enhanced this task managing ability to build a mobile phone user interface where a user can navigate directly from one activity to another activity, entering each activity at the last departure state, as is claimed in amended claim 1.

In fact, Figs. 7 and 8 of Beaton teach away from such an interface. Fig. 7 and its description merely teach that the interface enables the user, while engaged in a call, to

(a) send an SMS note

(b) place another call (holding or disconnecting the original call)

(c) receive another call (holding or disconnecting the original call)

(d) view received fax etc.

(e) edit or send a previously stored SMS note

(f) access a list of names

Nowhere does Beaton disclose that, when entering each of activities (a) – (f), the interface enters each activity at its last departure state. Additionally, Fig. 8 teaches that when a user of Beaton enters the SMS note activity from the call activity, the SMS note activity should present a blank note, pre-loaded with the phone number of the other party to the call activity, which is not necessarily the last departure state of the SMS note activity.

Accordingly, for at least the above reasons, amended claim 1 is patentable over Beaton.

Amended claim 8 is directed toward a method of amended claim 1, reciting similar limitations. Thus, for at least the same reasons, amended claim 8 is patentable over Beaton.

Claims 2-4 and 9-10 depend from amended claims 1 and 8, incorporating their limitations respectively. Thus, for at least the same reasons, claims 2-4 and 9-10 are patentable over Beaton.

CONCLUSION

In view of the foregoing, Applicants submit that claims 1-12 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact

the undersigned at (206) 407-1513. If any fees are due in connection with this paper, the Commissioner is authorized to charge Deposit Account 500393.

Respectfully submitted,
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Date: March 21, 2006   by:
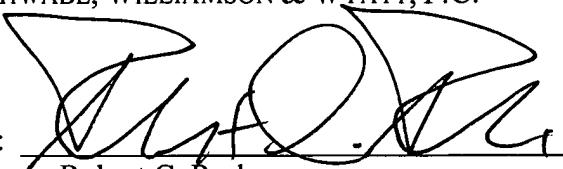
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